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ment that King Albert should have accepted Germany's ultimatum and allowed the German troops a free passage through his perpetually neutral territory.
A. B.

THE FORGED LETTER OF GENERAL ROBERT E. LEE, by Charles Alfred Graves, Professor of Law in the University of Virginia. (A paper read before the Virginia State Bar Association, printed in the reports of the Association for 1914, Vol. XXVII, and supplemented in the reports for 1915, Vol. XXVIII.)

In this paper the author attacks as a literary forgery the so-called "Duty Letter," long attributed to General Robert E. Lee, which contains the oft quoted sentence: "Duty, then, is the sublimest word in our language."

Emerson once said: "The nobler the truth or sentiment, the less imports the question of authorship," and by such a standard, one must conclude, the game is hardly worth the candle. The author, however, who had the honor of being a student under General Lee, holds the opinion that "loyalty to Lee requires repudiation of a letter falsely masquerading under his name." Though it be "a harmless deception, yet the cause of truth needs this refutation," and the author has, therefore set himself to this "labor of love."

The paper has its consideration in this journal not for its end but for its means; as a problem in evidence, and a demonstration of the principles of judicial proof.

Judged by Victor Hugo's test—"L'ouvrage est-il bon ou est-il mauvais?"—there can be but one conclusion—it is masterly. Without inquiry as to the legal burden of proof, the author concedes that the letter should be taken as *prima facie* genuine, and assumes the task of proving it spurious by a preponderance, at least, of the evidence. He begins by proving indubitably that the letter, as printed, first in the *New York Sun* of Nov. 26, 1864 and later in the *Richmond Whig* and the *Richmond Sentinel*, could not have been genuine *in toto*, especially with reference to the date and the first two sentences. Not content with this, the author proceeds to take up in detail every possible theory or supposition upon which the *substantial* genuineness of the rest of the letter might be maintained. Listing these theories as (1) The Wrong Date Theory; (2) The Editorial Emendation Theory, and (3) The Compilation Theory, the author admits, for the sake of argument, the truth of every possible supposition which could be advanced to establish the authenticity of the questioned document, and with merciless logic based upon a mass of evidence irresistibly refutes the respective theories in their order.

The supplementary paper was not essential to complete the case, but the evidence there adduced has removed the question from the field of controversy. The indictment has been sustained beyond a reasonable doubt; the Duty Letter is a forgery to a moral certainty.

Since these papers are here reviewed primarily as the working out of a problem in evidence, it would seem not amiss to add what has been said of them by no less an authority in the field of evidence than Pro-

fessor John Henry Wigmore: "For pure unmixed interest as an evidence problem, it is at the head of such things. * * * The manner in which every little sidepath is followed out and blocked up is also masterly, and serves as a lesson in rigid accuracy of scholarship."

GEO. B. EAGER, JR.

THE LAW OF UNINCORPORATED ASSOCIATIONS AND SIMILAR RELATIONS, by Sidney R. Wrightington. (Boston: Little, Brown and Company, 1916, p. xxvi, 486.)

The author amply justifies the appearance of this treatise by pointing out that, because of the oppressive burdens which have been imposed upon the corporate form of organization in some of the states of the Union, there has recently been "a revival of interest among business men in unincorporated associations," to which they are now turning for relief. He indicates that in some states they "have developed a high degree of effectiveness" and thinks that "this success foreshadows a similar tendency in other states." But since they are a comparatively recent development it is but natural that the law governing them is still in the making. This book is meant primarily for the practitioner who is interested in the many perplexing problems raised in connection with this subject.

The whole subject very naturally divides itself into two general groups according to the pecuniary purpose of the association: (I) Those associations whose object is profit; and (II) Non-profit associations. The first group is divided by the author into three classes: (1) Associations for profit, or partnerships, including informal and formal associations, statutory joint stock associations, mining partnerships and defective incorporations; (2) Trusts; and (3) Unassociated groups, including Lloyd's insurers, syndicates underwriting securities, dealers through a common agent, tenants in common and defective incorporations (in some states). Under the head of non-profit associations the author treats social clubs, fraternal orders, benefit societies, temporary local organizations, religious societies, professional societies, farmers' telephone lines, socialistic communities, stock exchanges, trade unions and employers' associations.

As is well stated by Mr. Wrightington, "The problem with reference to all of these groups is the application to them of principles of law originally developed with respect to relations between two or three individuals, in the first class [associations for profit] the law of partnership, in the second class [trusts] the law of trusts, in the remaining classes the law of agency." As is demanded by the greater practical importance of the organizations involved, the discussion of the first main group (covering all classes of associations whose object is profit) fills the major portion of the book. The chapter on associations for profit is particularly full, is well done and contains a thorough analysis of a number of important cases. It seems rather unfortunate that no more space was devoted to the very important chapter on trusts, which covers only twenty-two pages, but it must be said that these